

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN to you, because your interest may be affected, that the City Council and the Carlsbad Housing and Redevelopment Commission of the City of Carlsbad will hold a joint public hearing at the Council Chambers, 1200 Carlsbad Village Drive, Carlsbad, California, at 6:00 p.m. on Tuesday, September 27, 2011, to consider approving (1) a General Plan Amendment to modify the description of the Public Utilities (U) land use designation and clarify "generation of electrical energy" may be a primary function of the U designation if it is located outside the Coastal Zone but only if it is conducted by a government entity or by a company authorized or approved for such use by the California Public Utilities Commission; (2) a Zone Code Amendment to the Public Utility (P-U) Zone to clarify (a) generation of electrical energy must be by a government entity or by a company authorized or approved for such use by the California Public Utilities Commission, is permitted as a primary use outside the Coastal Zone only, and is permitted as an accessory use in or outside the Coastal Zone only if it is limited to a generating capacity of fewer than 50 megawatts; (b) generation of 50 megawatts or more is prohibited in the Coastal Zone; and (c) transmission of electrical energy is a permitted use if conducted by a government entity or by a company authorized or approved for such use by the California Public Utilities Commission; (3) a Local Coastal Program Amendment to the Agua Hedionda Land Use Plan to eliminate a requirement for a report that would address whether preservation of land east of Interstate 5 is needed for power plant expansion; (4) an amendment to the Encina Power Station Precise Development Plan as necessary to be consistent with the General Plan and Zoning Ordinance amendments proposed and to make housekeeping changes; and (5) an amendment to the Encina Specific Plan as necessary to achieve consistency with the proposed amendments, delete standards regarding future power plants, and make housekeeping changes. The City Council will also consider authorizing the issuance of a written report, pursuant to Government Code Section 65858(d), describing the measures taken to alleviate the condition which led to the adoption of Urgency Ordinance No. CS-067 and the subsequent extensions of that ordinance. The Housing and Redevelopment Commission will consider concurring with the Council's issuance of the written report.

Whereas, on September 7, 2011 the City of Carlsbad Planning Commission voted 5-0-2 to recommend approval of (1) a General Plan Amendment to modify the description of the Public Utilities (U) land use designation and clarify "generation of electrical energy" may be a primary function of the U designation if it is located outside the Coastal Zone but only if it is conducted by a government entity or by a company authorized or approved for such use by the California Public Utilities Commission; (2) a Zone Code Amendment to the Public Utility (P-U) Zone to clarify (a) generation of electrical energy must be by a government entity or by a company authorized or approved for such use by the California Public Utilities Commission, is permitted as a primary use outside the Coastal Zone only, and is permitted as an accessory use in or outside the Coastal Zone only if it is limited to a generating capacity of fewer than 50 megawatts; (b) generation of 50 megawatts or more is prohibited in the Coastal Zone; and (c) transmission of electrical energy is a permitted use if conducted by a government entity or by a company authorized or approved for such use by the California Public Utilities Commission; (3) a Local Coastal Program Amendment to the Agua Hedionda Land Use Plan to eliminate a requirement for a report that would address whether preservation of land east of Interstate 5 is needed for power plant expansion; (4) an amendment to the Encina Power Station Precise Development Plan as necessary to be consistent with the General Plan and Zoning Ordinance amendments proposed and to make housekeeping changes; and (5) an amendment to the Encina Specific Plan as necessary to achieve consistency with the proposed amendments, delete standards regarding future power plants, and make housekeeping changes.

Those persons wishing to speak on this proposal are cordially invited to attend the public hearing. Copies of the agenda bill will be available on and after September 23, 2011. If you have any questions, please contact Scott Donnell in the Planning Division at (760) 602-4618 or scott.donnell@carlsbadca.gov.

If you challenge the General Plan Amendment, Zone Code Amendment, Local Coastal Program Amendment, Precise Development Plan Amendment and/or Specific Plan Amendment in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice or in written correspondence delivered to the City of Carlsbad, Attn: City Clerk's Office, 1200 Carlsbad Village Drive, Carlsbad, CA 92008, at or prior to the public hearing.

CASE FILE: GPA 11-06/ZCA 11-05/LCPA 11-06/PDP 00-02(E)/SP 144(N)

CASE NAME: CHANGES TO POWER PLANT STANDARDS

PUBLISH: September 17, 2011

CITY OF CARLSBAD

CITY COUNCIL AND HOUSING AND REDEVELOPMENT COMMISSION